

IN THE UNITED STATES
COURT OF FEDERAL
CLAIMS

FILED
FEB 28 2017
U.S. COURT OF
FEDERAL CLAIMS

BID PROTEST

CLEVELAND ASSETS, LLC,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

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Case No.: 17-277 C

Judge: _____

**PLAINTIFF'S APPLICATION FOR TEMPORARY
RESTRAINING ORDER AND MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to Rule 65 and Appendix C, § V of the Rules of the United States Court of Federal Claims, Cleveland Assets, LLC ("Plaintiff"), by and through his undersigned counsel, hereby moves the Court for a preliminary injunction and, as necessary a temporary restraining order, prohibiting Defendant United States, acting by and through the U.S. General Services Administration, from authorizing any further procurement action under Request for Lease Proposals ("RLP") 6OH0241, until the Court can decide Plaintiff's protest on the merits. If the Court does not immediately rule on Plaintiff's request for a preliminary injunction, Plaintiff respectfully requests that the Court issue a temporary restraining order until the Court can decide Plaintiff's motion for a preliminary injunction.

As more fully set forth in the accompanying memorandum of law, the Court should grant Plaintiff's Motion. The Defendant's decision to issue the RLP in its current form and conduct the associated procurement under the terms thereof was arbitrary, capricious, irrational, an abuse of

discretion, in violation of applicable procurement law and regulations, and prejudicial to Plaintiff.

As a result, Plaintiff will suffer irreparable harm without a preliminary injunction.

February 24, 2017

Respectfully submitted,



ROBERT C. MACKICHAN, JR.

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